

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

QUEEN TIERA R. MILLER,) CASE NO.: 1:19-CV-01080
)
Plaintiff,) JUDGE: DONALD C. NUGENT
)
vs.) **DEFENDANTS' MOTION TO CONTINUE**
) **TRIAL**
CITY OF SHAKER HEIGHTS, OHIO, et)
al.,)
)
Defendants.)

Now comes Defendant, Tyler Smith and Defendant City of Shaker Heights, Ohio, by and through their respective counsel, and hereby respectfully request this Honorable Court continue the Trial currently scheduled for February 24, 2020 at 8:30 a.m. to a date at least 30 days after any ruling on the pending Motions for Summary Judgment. Defendants also request that the other related trial deadlines, including but not limited to deadlines for Jury Instructions, Proposed Witness Lists, Proposed Exhibit Lists, Trial Briefs, and Motions in Limine, be re-scheduled in accordance with the new trial date set by the Court.

As grounds for this continuance, Defendants state that a ruling on the pending Motions for Summary Judgment may resolve this matter or narrow the issues at trial. Defendants seek relief from expending significant cost and expenses of trial preparation without knowing what issues, if any, may be left for trial. To avoid potentially unnecessary pre-trial preparations and submissions, the Defendants ask the Court to postpone trial-related matters until after Defendants' summary judgment motions are decided. This request is not meant to delay the proceedings but is a good faith request to avoid unnecessary expense and burden on the Parties and the Court.

In view of the foregoing, the undersigned counsel respectfully request that the Court continue the Trial, and all Trial related deadlines, to another date convenient to the Court at least 30 days after any ruling on the Motions for Summary Judgment.

Respectfully submitted,

s/Steven D. Strang (per email consent)

STEVEN D. STRANG (0085444)
Gallagher Sharp LLP
Sixth Floor Bulkley Building
15401 Euclid Avenue
Cleveland, OH 44115
(216) 241-5310
(216) 241-1608 – Fax
Email: sstrang@gallaghersharp.com

Counsel for Defendant City of Shaker Heights

s/Terence L. Williams

JOHN T. MCLANDRICH (0021494)
TERENCE L. WILLIAMS (0081363)
Mazanec, Raskin & Ryder Co., L.P.A.
100 Franklin's Row
34305 Solon Road
Cleveland, OH 44139
(440) 248-7906
(440) 248-8861 – Fax
Email: jmclandrich@mrrlaw.com
twilliams@mrrlaw.com

Counsel for Defendant Tyler Smith

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2020, a copy of the foregoing Defendants' Motion to Continue Trial was filed electronically. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Terence L. Williams

JOHN T. MCLANDRICH (0021494)
TERENCE L. WILLIAMS (0081363)

Counsel for Defendant Tyler Smith

TRID-190137/JNT MTC Trial Date